

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of :

Appl. No.10/625,149 : Confirm. No. 8274  
H. Downman McCarty, II :  
Brooke Schumm III :  
Peter Popper, Applicants : Examiner: O. Flores Sanchez  
Filed: July 23, 2003 : Group Art Unit 3724

**For: AN ANTI-SPALLING COMBINATION ON AN IMPACT TOOL  
WITH AN IMPROVED HOLDING SYSTEM**

Honorable Commissioner of Patents and Trademarks  
Mail Stop Patent Application, P.O. Box 1450  
Alexandria, VA 22313-1450

**CONTINUATION AND PRIORITY DATA**

Continuation in part of PCT/US02/23448 and entry into the national stage of  
PCT/US02/23448, continuation in part of U.S. provisional applications 60/307,198 filed  
on July 23, 2001, and 60/356,804 filed on February 13, 2002

**RESPONSE TO OFFICE COMMUNICATION OF Sept. 8, 2006  
WITH PROPER STATUS IDENTIFIER**

Petition is made for a two month extension of time to re-submit the claims with  
proper status identifier.

All claims, including withdrawn claims are now listed. The status descriptions  
are corrected. The number 154 was used twice for claims and the claims have been  
renumbered so it is used once. Claim 168 was duplicated and that was corrected.

In the earlier response to the Office Action of November 21, 2005, an election was made to Species XII: Embodiment of Fig. 11A-11C. The prior responses are adopted by reference except the claims and reference to claims status are presented properly.

#### **Amendments to the Claims**

Claims 1-122 are withdrawn. Applicant has retained the right to present the method claims set out in claims 118-122 in a divisional application, and preserves the right to present the unelected claims. New claims numbered 123-142 were presented in the prior office action. Claims 123-142 are withdrawn, though the right to present other species in a divisional application is reserved.

Claims 143-175 are presented as new claims.

The claims are presented at the end of this document.

Respectfully,

\_\_\_\_\_/Brooke Schumm III/\_\_\_\_\_/s/ Brooke Schumm III  
Brooke Schumm III  
Patent Bar Registration No. 34,926  
Danecker, McIntire et al  
One N. Charles St., Suite 2450  
Baltimore, MD 21201  
(410) 649-4761  
Attorney for Applicants

I certify I caused the above to be filed electronically in the USPTO with its attachments this 17 November 2006.

\_\_\_\_\_/Brooke Schumm III/\_\_\_\_\_/s/ Brooke Schumm III